



United States Department of the Interior

CALIFORNIA/NEVADA OPERATIONS OFFICE
2800 Cottage Way, Room W-2606
Sacramento, California 95825-1846



In Response Reply To:
CNO-ES

MAR 03 2006

Memorandum

To: Acting Project Leader, Sacramento Fish and Wildlife Office
Sacramento, California

From: Assistant Manager, California/Nevada Operations Office,
Sacramento, California *Paul Benson*

Subject: Use of Emergency Section 7 Consultation Procedures to Address Emergency
Repairs on California's Levee System

On February 24, 2006, the Governor of California proclaimed a state of emergency for the California levee system due to the imminent threat of catastrophic levee failure. The Governor has identified 24 critical levee erosion sites located on project levees in the counties of Colusa, Sacramento, Solano, Sutter, Yolo, and Yuba as the State's highest priority for emergency repairs. Additional critical levee erosion sites will likely be identified subsequent to further review.

In the next few weeks we may receive Endangered Species Act consultation and other review and coordination requests for this program from Federal action agencies. I would like you to expedite any environmental review required for this emergency repair effort using all appropriate legal procedures, including the Section 7 Emergency Consultation procedures under the Endangered Species Act (ESA). According to the Service's Section 7 Handbook, an "emergency...includes response activities that must be taken to prevent imminent loss of human life or property." This State effort meets this standard.

Protection of human life and property remains a top Service priority. In addition to the regulatory review provided by the Service, I would like you to offer whatever other technical assistance our staff can provide to this effort. Please let me know if you have any concerns regarding our ability to provide field staff support after you have had a chance to confer with other State and Federal agencies regarding the scope of this program. CNO will work to identify any additional resources if necessary.

Thank you for implementing this direction promptly. The SFWO has been a leader in addressing environmental challenges caused by past natural disasters. We look forward to helping our colleagues in other local, State, and Federal agencies to promptly implement this program.